

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
AUGUST 19, 2014
7:00 P.M.**

I. CALL TO ORDER

Mayor Hovland called the meeting to order at 7:10 p.m.

II. ROLL CALL

Answering rollcall were Members Bennett, Brindle, Sprague, Swenson and Mayor Hovland.

III. MEETING AGENDA APPROVED

Member Swenson made a motion, seconded by Member Brindle, approving the meeting agenda as revised to add IV.P., Construction Management Services for Edina Liquor – 50th and France Store Remodel.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

IV. CONSENT AGENDA ADOPTED

Member Swenson made a motion, seconded by Member Bennett, approving the consent agenda as revised to remove Item IV.G., Request for Purchase – Award of Bid – Contract ENG 14-15 France Avenue Lighting, as follows:

IV.A. Approve regular and work session meeting minutes of August 4, 2014

IV.B. Receive payment of the following claims as shown in detail on the Check Register dated August 7, 2014, and consisting of 32 pages; General Fund \$658,106.32; Police Special Revenue \$130.92; Arts and Culture Fund \$100.00; Working Capital Fund \$125,548.38; Art Center Fund \$4,368.95; Golf Dome Fund \$1,220.49; Aquatic Center Fund \$4,769.71; Golf Course Fund \$22,360.57; Ice Arena Fund \$48,876.55; Sports Dome Fund \$5,866.25; Edinborough Park Fund \$6,496.49; Centennial Lakes Park Fund \$4,801.13; Liquor Fund \$268,856.73; Utility Fund \$41,382.12; Storm Sewer Fund \$2,195.69; PSTF Agency Fund \$8,595.13 TOTAL \$1,203,675.43 and for receipt of payment of claims dated August 14, 2014, and consisting of 36 pages; General Fund \$150,587.33; Police Special Revenue \$4,193.81; Pedestrian and Cyclist Safety \$443.00; Arts and Culture Fund \$119.95; Working Capital Fund \$131,546.66; Equipment Replacement Fund \$167,560.96; Art Center Fund \$3,932.27; Golf Dome Fund \$1,405.75; Aquatic Center Fund \$17,463.74; Golf Course Fund \$25,373.55; Ice Arena Fund \$2,822.53; Sports Dome Fund \$802,047.95; Edinborough Park Fund \$2,455.85; Centennial Lakes Park Fund \$4,860.00; Liquor Fund \$219,076.91; Utility Fund \$429,104.81; Storm Sewer Fund \$7,606.37; Recycling Fund \$35,190.09; PSTF Agency Fund \$1,786.27; Centennial TIF District \$335.50; TOTAL \$2,007,913.30

IV.C. Request for Purchase – Fiber to Pamela Park, awarding the bid to the recommended low bidder, Castrejon, Inc. at \$42,929.00

IV.D. Request for Purchase – East Parking Lot Van Valkenburg Park, awarding the bid to the recommended low bidder, Bituminous Roadways, Inc. at \$75,470.00

IV.E. Accept Traffic Safety Committee Report, July 2, 2014

IV.F. Approve Amendment – Comprehensive Water Resources Management Plan

~~**IV.G. Request for Purchase – Award of Bid – Contract ENG 14-15 France Avenue Lighting**~~

IV.H. Request for Purchase – Award of Bid – Contract ENG 14-16 2014 Sidewalk Improvements, awarding the bid to the recommended low bidder, Standard Sidewalk, Inc. at \$369,831.94

IV.I. Approve Memorandum of Understanding with Minnehaha Watershed District

IV.J. Approve Agreement with Metropolitan Airport Commission for Video Production Services

- IV.K. Motion stating the City of Edina does not waive the City's monetary tort liability limits, per Minnesota State Statutes 466.04**
- IV.L. Approve Transfer of Administration of Edina Emerald Energy Program to St. Paul Port Authority**
- IV.M. Waive Second Reading adopting Ordinance No. 2014-12 Amending Chapter 2 Concerning Boards & Commissions**
- IV.N. Approve Transfer 2013 General Fund Unassigned Fund Balance**
- IV.O. Approve Professional Services Agreement with Peter Musty, LLC For Consulting Services for Wooddale Avenue and Valley View Road Small Area Plan**
- IV.P. Approve Construction Management Services for Edina Liquor – 50th and France Store Remodel**

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

ITEMS REMOVED FROM THE CONSENT AGENDA

IV.G. REQUEST FOR PURCHASE – AWARD OF BID – CONTRACT ENG 14-15 FRANCE AVENUE LIGHTING – AWARDED

The Council expressed concern that it had not received a streetscape design complete with depictions to assure the elements (i.e., lighting, landscaping, medians, architecture) fit together cohesively. Engineer Millner indicated it was not an issue to defer consideration of this item though it would delay installation for two weeks. Manager Neal indicated staff would provide depictions incorporating the lighting elements into the streetscape. He explained that while the bids were good for two weeks, a change of lighting fixtures would result in the need to rebid the project. Support was expressed for the proposed lighting fixture design subject to receipt of schematics. **Member Swenson made a motion, seconded by Member Brindle, approving Request for Purchase – Award of Bid – Contract ENG 14-15 France Avenue Lighting, awarding the bid to the recommended low bidder, Egan Companies at \$402,732.75, with the expectation the Council would receive complete streetscape depictions at the next meeting.**

Ayes: Brindle, Sprague, Swenson, Hovland

Nays: Bennett

Motion carried.

V. SPECIAL RECOGNITIONS AND PRESENTATIONS

V.A. EDINA GIRLS HOCKEY USA HOCKEY AWARD

Edina Hockey Association Boardmembers and players introduced themselves. It was announced that the Minnesota District of USA Hockey had awarded the Edina Hockey Association with its Female Honors Award for its commitment to girls' hockey during the 2013-2014 season. The Council was thanked for its support and providing an additional sheet of ice. The Council congratulated the Edina Hockey Association for receipt of this prestigious recognition.

V.B. SPEAK UP EDINA REPORT PRESENTED – TOPIC: SPENDING ON PUBLIC ART

Communications Coordinator Gilgenbach presented a summary of July opinions, both pros and cons, collected through Speak Up, Edina relating to spending on public art. Mr. Gilgenbach indicated next month's topic would be community gardens.

Barbara La Valleur, Art and Culture Commissioner, thanked the Communications Department for bringing the topic of art to the public and invited all to vote for their favorite sculpture.

V.C. 2014 PHOTO CONTEST WINNERS – PRESENTED

Mr. Gilgenbach presented the photographs and announced winners of the 2014 Images of Edina Contest. Mayor Hovland presented the awards, congratulated the winners, and thanked all who participated.

VI. COMMUNITY COMMENT

Frank Lorenz, 7501 York Avenue South, Unit 720, complimented the work of Edina Detectives who had set in motion action that brought down an international identity theft scheme.

Christian Clapp, 5844 Oaklawn Avenue, expressed concern relating to lack of due notice about proposed changes to Pamela Park.

Susan Aura, 5900 Oaklawn Avenue, expressed concern relating to the use of artificial turf at Pamela Park.

Drew Beson, 5844 Oaklawn Avenue, thanked the Council for its work on behalf of the public and expressed concern relating to the use of artificial turf at Pamela Park.

VII. REPORTS / RECOMMENDATIONS

VII.A. RESOLUTION NO. 2014-86 ADOPTED – ACCEPTING VARIOUS GRANTS AND DONATIONS

Mayor Hovland explained that in order to comply with State Statutes; all donations to the City must be adopted by Resolution and approved by four favorable votes of the Council accepting the donations. **Member Bennett introduced and moved adoption of Resolution No. 2014-86 accepting various grants and donations.** Member Brindle seconded the motion.

Rollcall:

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

VII.B. APPOINTMENT TO PLANNING COMMISSION – RATIFIED

Member Sprague made a motion, seconded by Member Bennett, appointing Steve Hobbs to the Planning Commission for a term ending March 1, 2017.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

Member Sprague made a motion, seconded by Member Bennett, designating Planning Commission alternates (1) James Bennett and (2) Scott Hughes.

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

VII.C. FINAL APPROVAL AND AUTHORIZATION TO PROCEED FOR EDINA VETERANS MEMORIAL – GRANTED

Manager Neal reviewed the Council's past consideration for constructing a Veteran's Memorial in Utey Park and indication that private funds must be the primary funding agent for the project and secured prior to the City commencing construction. Mr. Neal presented the funding breakdown for the memorial, noting staff had verified that sufficient funding was now available.

Veterans Memorial Committee Chair Richard Olson and Lance Elliott, Project Design Engineer, presented a project overview and described design elements. Chair Olson reported on the status of fundraising, indicating that a total of \$317,321 had been raised, which qualified for receipt of the State matching grant (statutory allocation) of \$225,000. The Council recognized Edina's local legislators who had worked diligently to assure this grant was included in the bonding bill. It was noted the goal of the Veterans Memorial Committee was to dedicate Edina's Veterans Memorial on Memorial Day, 2015.

The Council commended the Veterans Memorial Committee for its work, Chair Olson for his leadership, and Mr. Elliott for his volunteerism. **Member Swenson made a motion, seconded by Member Bennett, approving the final design of the Veterans Memorial at Utey Park and authorizing construction to proceed.**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

VIII. CORRESPONDENCE AND PETITIONS

VIII.A. CORRESPONDENCE

Mayor Hovland acknowledged the Council's receipt of various correspondence.

VIII.B. MINUTES:

- 1. PARK BOARD, JUNE 10, 2014 AND JULY 8, 2014**
- 2. PLANNING COMMISSION, JULY 9, 2014**

Informational; no action required.

IX. AVIATION NOISE UPDATE – Received

X. MAYOR AND COUNCIL COMMENTS – Received

X.A. INDIANOLA/JUANITA SIDEWALK PROJECT – DESIGN REVISED

The Council asked questions regarding the proposed sidewalks within the Indianola/Juanita road reconstruction project. Mr. Millner referenced the Comprehensive Plan Sidewalk Plan, described staff's contact with the Indianola/Juanita neighborhood, and stated he would not recommend sidewalks in that area based on present traffic warrants. The Council discussed the sidewalk project, noting this project was currently under design. **Member Swenson made a motion, seconded by Member Sprague, directing staff to revise the project plans to remove the sidewalk loop from Indianola/Juanita and the two 51st Street stubs. Juanita from 50th Street to 500 feet south of 50th Street will remain in the project area until traffic warrants can be completed and analyzed. .**

Ayes: Bennett, Brindle, Sprague, Swenson, Hovland

Motion carried.

XI. MANAGER'S COMMENTS – Received

XI.A. POLICY: CONFLICT OF INTEREST – REFERRED TO FUTURE WORK SESSION

Mr. Neal explained that in the past, the City had relied on State Statutes for conflict of interest guidelines. Based on the Council's direction at its last meeting, staff drafted a Conflict of Interest Policy using the City of Brainerd's Conflict of Interest Policy as a template. It was noted the Planning Commission had, for some time, been considering whether to adopt a Conflict of Interest Policy.

The Council indicated support for a uniform policy addressing conflict of interest. Staff was asked to provide additional information relating to how the draft policy compared to State Statute regulations, case law comparisons, enforceable consequences, preparatory language, and other relevant information. The Council asked staff to inform the Planning Commission that it was working on this policy and directed staff to place this item on a future Work Session agenda for additional discussion.

XII. ADJOURNMENT

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 9:16 p.m.

Respectfully submitted,

Debra A. Mangen, City Clerk

Minutes approved by Edina City Council, September 2, 2014.

James B. Hovland, Mayor

Video Copy of the August 19, 2014, meeting available.